

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT HENRY MASON,

Plaintiff,

vs.

**Case No.: 2:14-cv-410
JUDGE GEORGE C. SMITH
Magistrate Judge Kemp**

TONY AYRES, *et al.*,

Defendants.

ORDER

On December 2, 2016, the United States Magistrate Judge issued a *Report and Recommendation* and Order recommending that this action be dismissed without prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (See Doc. 63). The parties were advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This case is hereby dismissed without prejudice.

The Clerk shall remove Documents 52, 53, 54, and 63 from the Court's pending motions list and close this case.

IT IS SO ORDERED.

/s/ George C. Smith
**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**